

# EXHIBIT 2

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

VINCENT LEUNG, on behalf of himself  
and all others similarly situated,

Plaintiff,

vs.

XPO LOGISTICS, INC.,

Defendant.

No. 15 CV 03877

**SECOND DECLARATION OF ANDREW PERRY ON BEHALF OF  
SETTLEMENT ADMINISTRATOR REGARDING ADMINISTRATION**

I, Andrew Perry declare:

1. I am employed as a project manager by Kurtzman Carson Consultants (“KCC”), a nationally-recognized notice and claims administration firm located at 462 South 4th Street, Louisville, KY 40202. KCC was retained as the Settlement Administrator in this case, and as the project manager, I oversee all aspects of the administrative services provided. I submit this second declaration to provide updated information regarding the *Leung et al v. XPO Logistics, Inc., Administration*.

### **CAFA Notification**

2. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. Section 1715, KCC compiled a CD-ROM containing documentation responsive to each section of the CAFA statute. A copy of the cover letter enclosing the CAFA Notice Packet is attached as Exhibit A.

3. On October 23, 2017, KCC caused sixty-three (“63”) CAFA Notice Packets to be mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed on Exhibit B, i.e., the U.S. Attorney General, the Attorneys General of each of the 50 States and the District of Columbia, the Attorneys General of the 8 recognized U.S. Territories, and to the parties of interest to this Action.

4. As of the date of this declaration, KCC has received no response to the CAFA Notice Packet from any of the recipients.

### **Class List**

5. On October 17, 2017, KCC received the Class List with 312,966 records. The records included data points such as: names, addresses, e-mail addresses, and phone numbers. Of these, 279,207 had valid email addresses. KCC consolidated 1,953 records that were found to be duplicates by name and address. KCC formatted the Class List for mailing purposes, and processed the names and

addresses through the National Change of Address Database (“NCOA”) to update any addresses on file with the United States Postal Service (“USPS”). A total of 61,643 addresses were found and updated via NCOA. KCC updated its proprietary database with the Class List. There were a total of 23 records with both an invalid Email address and invalid mailing address that were excluded from the mailing.

**Notice**

6. On December 1, 2017, the Email Notice was sent to 279,207 Class Members. A copy of the Email Notice is attached as Exhibit C.

7. On December 1, 2017, the Double Postcard Notice was sent to 31,783 Class Members. A copy of the Double Postcard Notice is attached as Exhibit D.

8. To date, the Double Postcard Notice has been sent to 34,085 Class Members whose Email Notice was returned as undeliverable.

9. On December 15, 2017, KCC caused the Reminder Email Notice to be sent to Class Members who had not yet filed a claim, but due to an error with the vendor only 59,927 out of the 241,474 emails were sent. The remaining Reminder Emails were sent on December 29, 2017. A copy of the Reminder Email Notice is attached as Exhibit E.

10. On January 5, 2018, the Reminder Double Postcard Notice was sent to 240,074 Class Members who received an Email Notice and had not yet filed a claim. A copy of the Reminder Double Postcard Notice is attached as Exhibit F.

11. On January 23, 2018 KCC caused the Final Reminder Email Notice to be sent to 216,716 Class Members who had not yet filed a claim. A copy of the Final Reminder Email is attached as Exhibit G.

12. To date, KCC has received a total of 6,698 Single Postcard Notices returned by the U.S. Postal Service with forwarding addresses. KCC caused the Class Member list to be updated with the new addresses and Notice Packages to be re-mailed to the updated addresses.

13. Prior to the filing deadline, 27,793 Double Postcard Notices were returned as undeliverable. KCC searched for updated addresses for these records and 16,643 were updated and remailed. There have been an additional 9,093 Double Postcard Notices returned as undeliverable after the claim filing deadline passed and were therefore not searched.

#### **Settlement Website**

14. On December 1, 2017, the Settlement Website located at [www.XPOTCPAsettlement.com](http://www.XPOTCPAsettlement.com) went live. On the Settlement Website, visitors can

access important case documents, read answers to frequently asked questions, and submit a claim form online.

### **IVR**

15. Prior to Emailing of the Notice, KCC caused an Interactive Voice Response (“IVR”) system to be established (844-454-4160) to provide information about the settlement, allow class members to file a claim, and to record requests for Notice Packets.

### **Claim Forms**

16. To date, there have been 33,563 claims submitted online, 9,699 paper claims submitted by postal mail, and 455 claims submitted over the phone for a total of 43,716 claims. Of these claims, 43,714 are claims submitted by known Class Members (“Known Claims”).

17. To date, there are 2 Claims submitted by individuals who could not be identified as Class Members (“Unknown Claims”). The parties have not decided whether these claims will be accepted.

18. To date, there are 660 Known Claims missing either a phone number or a signature. The parties have decided to accept all incomplete Known Claims.

19. To date, KCC has identified 999 duplicate claims.

20. To date, there have been 42,715 valid Known Claims processed, for a filing rate of approximately 13.74%.

**Requests for Exclusion**

21. The Requests for Exclusion (“opt-out”) deadline was January 30, 2018. To date, we have received 26 timely opt-outs. The list of opt-outs is attached as Exhibit H.

**Administration Costs**

22. KCC estimates its total cost of administration will be \$298,321.

I declare under penalty of perjury under the laws of the State of Kentucky that the foregoing is true and correct and that this declaration was executed this 20th day of February, 2018, at Louisville, Kentucky.

A handwritten signature in black ink, appearing to read "Andrew Perry", is written over a solid horizontal line.

Andrew Perry

# **EXHIBIT A**





462 South 4th Street  
Louisville, KY 40202

800.211.5201 PHONE  
kccllc.com

October 23, 2017

VIA PRIORITY MAIL

«First» «Last»  
«Company»  
«Address\_1»  
«Address\_2»  
«City», «State» «Zip»

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715

Dear «First» «Last»:

O'MELVENY & MYERS LLP represents XPO Logistics, Inc. ("Defendant") in a putative class action lawsuit entitled *Leung v. XPO Logistics, Inc.*, Case No. 1:15-cv-03877. The lawsuit is pending before the Honorable Edmond E. Chang in the United States District Court for the Northern District of Illinois, Eastern Division. This letter is to advise you that Plaintiff filed a Motion for Preliminary Approval of Class Action Settlement in connection with this class action lawsuit on October 13, 2017.

**Case Name:** *Leung v. XPO Logistics, Inc.*  
**Case Number:** 1:15-cv-03877  
**Jurisdiction:** United States District Court,  
Northern District of Illinois, Eastern Division  
**Date Settlement**  
**Filed with Court:** October 13, 2017

Defendant denies any wrongdoing or liability whatsoever, but has decided to settle this action solely in order to eliminate the burden, expense, and uncertainties of further litigation. In compliance with 28 U.S.C. § 1715(b), the following documents referenced below are included on the CD that is enclosed with this letter:

1. **28 U.S.C. § 1715(b)(1) – Complaint and Related Materials:** A copy of the *Class Action Complaint* filed May 1, 2015 is included on the enclosed CD Rom.



«First» «Last»

October 23, 2017

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2. **28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** A copy of *Vincent Leung’s Unopposed Motion for Preliminary Approval of Class Action Settlement and Memorandum* filed October 13, 2017 is included on the enclosed CD Rom. Following the Court’s October 19, 2017 hearing on Plaintiff’s Motion for Preliminary Approval, a Final Fairness Hearing has tentatively been scheduled for March 7, 2018. Any Class Member who wishes to either object to the Settlement or request exclusion from the Settlement Class must do so by January 30, 2018. Please note that the Final Fairness Hearing and other hearings may be scheduled, or rescheduled, in this matter, but you will not receive any further notice from Defendant. Copies of the *Notice of Motion, Declaration of Keith J. Keogh, and Order (1) Conditionally Certifying a Settlement Class, (2) Preliminarily Approving Class Action Settlement, (3) Approving Notice Plan and (4) Setting Final Approval Hearing* are also included on the enclosed CD Rom.
3. **28 U.S.C. § 1715(b)(3) – Notification to Class Members:** The parties have agreed to a notice to class members, filed with the Court on October 13, 2017. Notice will first be attempted by e-mail and will then be mailed to any class members for whom an attempted e-mail notice is returned undeliverable or an e-mail address is not available. A copy of the *E-Mail and Mail Notice* to be provided to the class is included on the enclosed CD Rom.
4. **28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** A copy of the *Class Action Settlement Agreement and Release* filed with the Court on October 13, 2017 is included on the enclosed CD Rom.
5. **28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreement:** As of October 23, 2017, no other settlement or agreement has been entered into by the parties to this this Action or by and through their respective representatives.
6. **28 U.S.C. § 1715(b)(6) – Final Judgment:** No Final Judgment has been entered as of October 23, 2017, nor have any Notices of Dismissal been granted at this time. Copies of the *[Proposed] Form of Order Granting Final Approval* and *[Proposed] Form of Judgment Dismissing Action with Prejudice* are included on the enclosed CD Rom.
7. **28 U.S.C. § 1715(b)(7)(A)-(B) – Names of Class Members/Estimate of Class Members:** Pursuant to 28 U.S.C. § 1715(b)(7)(A), below is a breakdown, by State, of the estimated number of class members in each state and the State’s proportionate share of the settlement fund. Additionally, enclosed with the CD, if your State has a



«First» «Last»  
 October 23, 2017  
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known Class Member, is the list of those Class Member names in your State. The States of residence are categorized by where the class member is currently believed to reside or most recently resided (to the best of Defendant's ability to determine based on information available in its records).

State/Territory	Count	% of Class
AL	168	0.054%
AZ	1921	0.614%
CO	1509	0.482%
CT	7246	2.315%
DC	9305	2.973%
DE	858	0.274%
FL	45624	14.578%
GA	13957	4.460%
IA	2	0.001%
ID	1	0.000%
IL	16903	5.401%
IN	229	0.073%
KS	2176	0.695%
LA	15	0.005%
MA	21386	6.833%
MD	15488	4.949%
ME	239	0.076%
MI	9039	2.888%
MN	6261	2.001%
MO	3853	1.231%
MS	14	0.004%
NC	10257	3.277%
NH	717	0.229%
NJ	22671	7.244%
NM	9	0.003%
NV	18	0.006%
NY	85804	27.416%
OH	468	0.150%
PA	18607	5.945%



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RI	1562	0.499%
SC	1520	0.486%
TN	271	0.087%
TX	4	0.001%
VA	14303	4.570%
VT	34	0.011%
WI	378	0.121%
WV	144	0.046%
WY	5	0.002%
<b>Grand Total</b>	<b>312966</b>	<b>100%</b>

Pursuant to 28 U.S.C. § 1715(b)(7)(B), it is estimated that there are approximately 312,966 individuals in the class.

8. **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** As the proposed Settlement is still pending final approval by the Court, there are no other opinions available at this time. As of October 23, 2017, there has been no written judicial opinion related to the settlement.

If for any reason you believe the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact E. Clay Marquez, Esq. at O'MELVENY & MYERS LLP immediately so that Defendant XPO Logistics, Inc. can address any concerns or questions you may have.

Thank you.

Sincerely,

/s/

Patrick M. Passarella  
SENIOR VICE PRESIDENT

Enclosure – CD Rom

# **EXHIBIT B**

Last	First	Company	Address 1	Address 2	City	State	Zip
Lindemuth	Jahna	Office of the Alaska Attorney General	P.O. Box 110300		Juneau	AK	99811-0300
Marshall	Steve	Office of the Alabama Attorney General	501 Washington Avenue	PO Box 300152	Montgomery	AL	36130-0152
Rutledge	Leslie	Arkansas Attorney General Office	323 Center Street, Suite 200		Little Rock	AR	72201-2610
Brnovich	Mark	Office of the Arizona Attorney General	1275 W. Washington Street		Phoenix	AZ	85007
CAFA Coordinator		Office of the Attorney General	Consumer Law Section	455 Golden Gate Ave., Suite 11000	San Francisco	CA	94102
Coffman	Cynthia	Office of the Colorado Attorney General	Ralph L. Carr Colorado Judicial Center	1300 Broadway, 10th Floor	Denver	CO	80203
Jepsen	George	State of Connecticut Attorney General's Office	55 Elm Street		Hartford	CT	6106
Racine	Karl A.	District of Columbia Attorney General	441 4th Street, NW, Suite 1100S		Washington	DC	20001
Sessions	Jefferson	Attorney General of the United States	United States Department of Justice	950 Pennsylvania Avenue, NW	Washington	DC	20530-0001
Denn	Matthew	Delaware Attorney General	Carvel State Office Building	820 N. French Street	Wilmington	DE	19801
Bondi	Pam	Office of the Attorney General of Florida	The Capitol, PL-01		Tallahassee	FL	32399-1050
Carr	Chris	Office of the Georgia Attorney General	40 Capitol Square, SW		Atlanta	GA	30334-1300
Chin	Douglas S.	Office of the Hawaii Attorney General	425 Queen Street		Honolulu	HI	96813
Miller	Tom	Iowa Attorney General	Hoover State Office Building	1305 E. Walnut Street	Des Moines	IA	50319
Wasden	Lawrence	State of Idaho Attorney General's Office	Statehouse	700 W Jefferson St	Boise	ID	83720-0010
Madigan	Lisa	Illinois Attorney General	James R. Thompson Center	100 W. Randolph Street	Chicago	IL	60601
Hill, Jr.	Curtis T.	Indiana Attorney General's Office	Indiana Government Center South	302 West Washington Street, 5th Floor	Indianapolis	IN	46204
Schmidt	Derek	Kansas Attorney General	120 S.W. 10th Ave., 2nd Floor		Topeka	KS	66612-1597
Beshear	Andy	Office of the Kentucky Attorney General	700 Capitol Ave	Capitol Building, Suite 118	Frankfort	KY	40601
Landry	Jeff	Office of the Louisiana Attorney General	P.O. Box 94095		Baton Rouge	LA	70804-4095
Healey	Maura	Office of the Attorney General of Massachusetts	1 Ashburton Place		Boston	MA	02108-1518
Frosh	Brian	Office of the Maryland Attorney General	200 St. Paul Place		Baltimore	MD	21202-2202
Mills	Janet	Office of the Maine Attorney General	State House Station 6		Augusta	ME	04333
Schuette	Bill	Office of the Michigan Attorney General	P.O. Box 30212	525 W. Ottawa Street	Lansing	MI	48909-0212
Lori Swanson	Attorney General	Attention: CAFA Coordinator	1400 Bremer Tower	445 Minnesota Street	St. Paul	MN	55101-2131
Hawley	Joshua D.	Missouri Attorney General's Office	Supreme Court Building	207 W. High Street	Jefferson City	MO	65101
Hood	Jim	Mississippi Attorney General's Office	Department of Justice	P.O. Box 220	Jackson	MS	39205
Fox	Tim	Office of the Montana Attorney General	Justice Bldg.	215 N. Sanders Street	Helena	MT	59620-1401
Stein	Josh	Office of the North Carolina Attorney General	Department of Justice	P.O. Box 629	Raleigh	NC	27602-0629
Stenehjem	Wayne	North Dakota Office of the Attorney General	State Capitol	600 E. Boulevard Avenue	Bismarck	ND	58505-0040
Peterson	Doug	Office of the Nebraska Attorney General	State Capitol	P.O. Box 98920	Lincoln	NE	68509-8920
Foster	Joseph A.	New Hampshire Attorney General	State House Annex	33 Capitol Street	Concord	NH	03301-6397
Porrino	Christopher S.	Office of the New Jersey Attorney General	Richard J. Hughes Justice Complex	25 Market Street, P.O. Box 080	Trenton	NJ	08625
Balderas	Hector	Office of the New Mexico Attorney General	P.O. Drawer 1508		Santa Fe	NM	87504-1508
Laxalt	Adam Paul	Nevada Attorney General	Old Supreme Ct. Bldg.	100 North Carson Street	Carson City	NV	89701
Schneiderman	Eric	Office of the New York Attorney General	Department of Law	The Capitol, 2nd Floor	Albany	NY	12224
DeWine	Mike	Ohio Attorney General	State Office Tower	30 E. Broad Street	Columbus	OH	43266-0410
Hunter	Mike	Oklahoma Office of the Attorney General	313 NE 21st Street		Oklahoma City	OK	73105
Rosenblum	Ellen F.	Office of the Oregon Attorney General	Justice Building	1162 Court Street, NE	Salem	OR	97301
Shapiro	Josh	Pennsylvania Office of the Attorney General	1600 Strawberry Square		Harrisburg	PA	17120
Kilmartin	Peter	Rhode Island Office of the Attorney General	150 South Main Street		Providence	RI	02903
Wilson	Alan	South Carolina Attorney General	Rembert C. Dennis Office Bldg.	P.O. Box 11549	Columbia	SC	29211-1549
Jackley	Marty J.	South Dakota Office of the Attorney General	1302 East Highway 14, Suite 1		Pierre	SD	57501-8501
Slatery, III	Herbert H.	Tennessee Attorney General and Reporter	425 5th Avenue North		Nashville	TN	37243
Paxton	Ken	Attorney General of Texas	Capitol Station	P.O. Box 12548	Austin	TX	78711-2548
Reyes	Sean	Utah Office of the Attorney General	State Capitol, Room 236	350 N State St	Salt Lake City	UT	84114-0810
Herring	Mark	Office of the Virginia Attorney General	900 East Main Street		Richmond	VA	23219
Donovan	TJ	Office of the Attorney General of Vermont	109 State Street		Montpelier	VT	05609-1001
Ferguson	Bob	Washington State Office of the Attorney General	1125 Washington St SE	P.O. Box 40100	Olympia	WA	98504-0100
Schimmel	Brad	Office of the Wisconsin Attorney General	Dept of Justice, State Capitol, RM 114	East P.O. Box 7857	Madison	WI	53707-7857

Morrissey	Patrick	West Virginia Attorney General	State Capitol	1900 Kanawha Blvd E	Charleston	WV	25305
Michael	Peter K.	Office of the Wyoming Attorney General	State Capitol Bldg.	200 W 24th St	Cheyenne	WY	82002
Ale	Talauega Eleasalo V.	American Samoa Attorney General	Exec. Ofc. Bldg, Utulei	Territory of American Samoa	Pago Pago	AS	96799
Barrett-Anderson	Elizabeth	Attorney General Office	590 S. Marine Corps Drive	ITC Bldg, Suite 706	Tamuning	Guam	96913
Manibusan	Edward	Northern Mariana Islands Attorney General	Administration Building	PO Box 10007	Saipan	MP	96950-8907
Vazquez Garced	Wanda	Puerto Rico Attorney General	P.O. Box 902192	San Juan	San Juan	PR	00902
Walker	Claude E.	Department of Justice	Virgin Islands Attorney General	34-38 Kronprindsens Gade, GERS Bldg, 2nd Floor	St. Thomas	VI	00802
Skilling	April Dawn	Office of the Secretary	Department of Justice for the Federated States of Micronesia	P.O. Box PS 105	Palikir, Pohnpei	FM	96941
		Office of the Attorney General	P.O. Box 1365		Koror	PW	96940
		Office of the Attorney General	P.O. Box 890		Majuro	MH	96960
Clay	Marquez	O'Melveny Myers LLP	Two Embarcadero Center	28th Floor	San Francisco	CA	94111
Keith	Keogh	Keogh Law Ltd.	55 W. Monroe	Ste. 3390	Chicago	IL	60603
Ryanne	Cozzi	KCC	462 S. 4th St.	10th Floor	Louisville	KY	40202

# **EXHIBIT C**



**Andrew Perry**

**From:** Class Action Claims Administrator <donotreply@XPOTCPAsettlement.com>  
**Sent:** Friday, December 01, 2017 8:02 PM  
**To:** Andrew Perry  
**Subject:** Important - Notice of Class Action Settlement - Leung et al. v. XPO Logistics, Inc.

Andrew Perry  
 Claim ID: KCC00004  
 PIN: 654321

**NOTICE OF CLASS ACTION LAWSUIT AND PROPOSED SETTLEMENT**

THE COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

*Leung et al. v. XPO Logistics, Inc.,*  
 USDC, Northern District of Illinois, Eastern Division Case No. 15-cv-03877

YOU MAY BE ENTITLED TO RECEIVE MONETARY COMPENSATION.

<b>What is this?</b>	This is notice of a Proposed Settlement in a class action lawsuit.
<b>What is this lawsuit about?</b>	The Settlement would resolve a lawsuit brought on behalf of a putative class of individuals, alleging XPO Logistics, Inc. ("XPO") violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the "TCPA") by making prerecorded survey calls regarding Ikea deliveries to cell phones without the prior express consent of Leung or the putative class members. XPO denies these allegations and any wrongdoing. The Court has not ruled on the merits of Plaintiffs' claims or XPO's defenses.
<b>Why am I getting this notice?</b>	You were identified as someone who may have received one of these survey calls based on XPO's records.
<b>What does the Settlement provide?</b>	XPO has agreed to pay a total of \$7,000,000 into a Settlement Fund, which will pay, as approved by the court, for the cost of notice and administration of the settlement, Settlement Class members' claims, attorneys' fees and costs incurred by counsel for Plaintiffs and the Settlement Class ("Class Counsel"), a service award for Plaintiff and a charitable contribution solely for uncashed checks, if a second distribution is not feasible. Class Counsel estimate that a Settlement Class member who submits a valid claim form ("Claim Form") may receive a cash award of between \$131 to \$263. This is an estimate only. The final cash payment amount will depend on the total number of valid claims submitted by Settlement Class Members. Plaintiff will petition for service award not to exceed \$10,000 for his work in representing the Class and Class Counsel's fees up to one third of the settlement fund, not to exceed \$2,333,334 plus reasonable expenses.
<b>How can I receive a payment from the Settlement?</b>	To receive payment, you must complete and submit a valid Claim Form by <b>January 30, 2018</b> . You can obtain and submit a Claim Form online at <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> . You can also make a claim by phone or obtain a mail-in Claim Form by calling 844-454-4160. Mail-in Claim Forms must be sent to the Settlement Administrator at P.O. Box 404040, Louisville, KY, 40233-9844.
<b>Do I have to be included in the</b>	If you don't want monetary compensation from this Settlement and you want

<b>Settlement?</b>	to keep the right to sue or continue to sue XPO on your own, then you must exclude yourself from the Settlement by sending a letter requesting exclusion to the Settlement Administrator by <b>January 30, 2018</b> at the address below that contains the specific information set forth in the Settlement Website.
<b>If I don't like something about the Settlement, how do I tell the Court?</b>	If you don't exclude yourself from the Settlement, you can object to any part of the Settlement. You must file your written objection with the Court by <b>January 30, 2018</b> , mailed to both Class Counsel and defense counsel and containing the specific information set forth in the Settlement Website <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> .
<b>What if I do nothing?</b>	If you do nothing, you will not be eligible for a payment. But you will still be a Settlement Class member and bound by the Settlement, and you will release XPO from liability.
<b>How do I get more information about the Settlement?</b>	This notice contains limited information about the Settlement. For more information, to view additional Settlement documents, and to review information regarding your opt-out and objection rights and the final approval hearing, visit <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> . You can also obtain additional information, a long form notice or Claim Form by calling 844-454-4160.

This message was intended for: [andrew.perry@kccllc.com](mailto:andrew.perry@kccllc.com)  
 You were added to the system December 1, 2017.  
 For more information [click here](#) [Update your preferences](#)  
[Unsubscribe](#) | [Unsubscribe via email](#)



# **EXHIBIT D**

TO RECEIVE BENEFITS FROM THIS SETTLEMENT, YOU MUST PROVIDE ALL OF THE INFORMATION AND YOU MUST SIGN THIS CLAIM FORM. IF A CLAIM FORM IS SUBMITTED ONLINE, YOU MUST SUBMIT AN ELECTRONIC SIGNATURE.

Postal Service: Please Do Not Mark Barcode

Claim ID: <<Claim8>>

PIN Code: &lt;&lt;PIN&gt;&gt;

XLE-&lt;&lt;Claim8&gt;&gt;-&lt;&lt;CkDig&gt;&gt;

&lt;&lt;FName&gt;&gt; &lt;&lt;LName&gt;&gt;

&lt;&lt;Addr1&gt;&gt; &lt;&lt;Addr2&gt;&gt;

&lt;&lt;City&gt;&gt;, &lt;&lt;State&gt;&gt; &lt;&lt;Zip&gt;&gt;

**QUESTIONS? VISIT  
WWW.XPOTCPASETTLEMENT.COM  
OR CALL 844-454-4160  
OR CLASS COUNSEL AT 866.726.1092.**

# XLE

1. CLAIMANT INFORMATION:

Primary Address

[illegible]

Primary Address continued

[illegible]

City

[illegible]

State

--	--

Zip Code

--	--	--	--	--

E-Mail Address (if applicable)

[illegible]

Cellular Telephone Number (where you received the call(s))

				-					-				
--	--	--	--	---	--	--	--	--	---	--	--	--	--

&lt;&lt;FName&gt;&gt; &lt;&lt;LName&gt;&gt;

&lt;&lt;Addr1&gt;&gt; &lt;&lt;Addr2&gt;&gt;

&lt;&lt;City&gt;&gt;, &lt;&lt;State&gt;&gt; &lt;&lt;Zip&gt;&gt;

2. AFFIRMATION:

By signing below, I declare, that the information above is true and accurate. This Claim Form may be researched and verified by XPO Logistics, Inc. and the Settlement Administrator.

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Name (please print): \_\_\_\_\_



2D

<<CLAIMID>>

NOTICE OF CLASS ACTION LAWSUIT AND PROPOSED SETTLEMENT  
THE COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

***Leung et al v. XPO Logistics, Inc.,***  
**USDC, Northern District of Illinois, Eastern Division Case No. 15-cv-03877**  
**YOU MAY BE ENTITLED TO RECEIVE MONETARY COMPENSATION.**

**What is this?** This is notice of a Proposed Settlement in a class action lawsuit.

**What is this lawsuit about?** The Settlement would resolve a lawsuit brought on behalf of a putative class of individuals, alleging XPO Logistics, Inc. ("XPO") violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the "TCPA") by making prerecorded survey calls regarding Ikea deliveries to cell phones without the prior express consent of Leung or the putative class members. XPO denies these allegations and any wrongdoing. The Court has not ruled on the merits of Plaintiffs' claims or XPO's defenses.

**Why am I getting this notice?** You were identified as someone who may have received one of these survey calls based on XPO's records.

**What does the Settlement provide?** XPO has agreed to pay a total of \$7,000,000 into a Settlement Fund, which will pay, as approved by the court, for the cost of notice and administration of the settlement, Settlement Class members' claims, attorneys' fees and costs incurred by counsel for Plaintiffs and the Settlement Class ("Class Counsel"), a service award for Plaintiff and a charitable contribution solely for uncashed checks, if a second distribution is not feasible. Class Counsel estimate that a Settlement Class member who submits a valid claim form ("Claim Form") may receive a cash award of between \$131 to \$263. This is an estimate only. The final cash payment amount will depend on the total number of valid claims submitted by Settlement Class Members. Plaintiff will petition for service award not to exceed \$10,000 for his work in representing the Class and Class Counsel's fees up to one third of the settlement fund, not to exceed \$2,333,334 plus reasonable expenses.

**How can I receive a payment from the Settlement?** To receive payment, you must complete and submit a valid Claim Form by **January 30, 2018**. You can obtain and submit a Claim Form online at [www.XPOTCPASettlement.com](http://www.XPOTCPASettlement.com). You can also make a claim by phone or obtain a mail-in Claim Form by calling 844-454-4160. Mail-in Claim Forms must be sent to the Settlement Administrator at the address below.

**Do I have to be included in the Settlement?** If you don't want monetary compensation from this Settlement and you want to keep the right to sue or continue to sue XPO on your own, then you must exclude yourself from the Settlement by sending a letter requesting exclusion to the Settlement Administrator by **January 30, 2018** at the address below that contains the specific information set forth in the Settlement Website.

**If I don't like something about the Settlement, how do I tell the Court?** If you don't exclude yourself from the Settlement, you can object to any part of the Settlement. You must file your written objection with the Court by **January 30, 2018**, mailed to both Class Counsel and defense counsel and containing the specific information set forth in the Settlement Website.

**What if I do nothing?** If you do nothing, you will not be eligible for a payment. But you will still be a Settlement Class member and bound by the Settlement, and you will release XPO from liability.

**How do I get more information about the Settlement?** This notice contains limited information about the Settlement. For more information, to view additional Settlement documents, and to review information regarding your opt-out and objection rights and the final approval hearing, visit [www.XPOTCPASettlement.com](http://www.XPOTCPASettlement.com). You can also obtain additional information, a long form notice or Claim Form by calling 844-454-4160.

Place  
Stamp  
Here

XPO Logistics, Inc. TCPA Settlement  
c/o KCC Settlement Administrator  
P.O. Box 404040  
Louisville, KY 40233-9844

# **EXHIBIT E**

**Andrew Perry**

**From:** Class Action Claims Administrator <donotreply@XPOTCPAsettlement.com>  
**Sent:** Friday, December 15, 2017 8:02 PM  
**To:** Andrew Perry  
**Subject:** REMINDER - Notice of Class Action Settlement - Leung et al. v. XPO Logistics, Inc.

Andrew Perry  
 Claim ID: KCC00004  
 PIN: 654321

**NOTICE OF CLASS ACTION LAWSUIT AND PROPOSED SETTLEMENT**

THE COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

*Leung et al. v. XPO Logistics, Inc.,*  
 USDC, Northern District of Illinois, Eastern Division Case No. 15-cv-03877

YOU MAY BE ENTITLED TO RECEIVE MONETARY COMPENSATION.

<b>What is this?</b>	This is notice of a Proposed Settlement in a class action lawsuit.
<b>What is this lawsuit about?</b>	The Settlement would resolve a lawsuit brought on behalf of a putative class of individuals, alleging XPO Logistics, Inc. ("XPO") violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the "TCPA") by making prerecorded survey calls regarding Ikea deliveries to cell phones without the prior express consent of Leung or the putative class members. XPO denies these allegations and any wrongdoing. The Court has not ruled on the merits of Plaintiffs' claims or XPO's defenses.
<b>Why am I getting this notice?</b>	You were identified as someone who may have received one of these survey calls based on XPO's records.
<b>What does the Settlement provide?</b>	XPO has agreed to pay a total of \$7,000,000 into a Settlement Fund, which will pay, as approved by the court, for the cost of notice and administration of the settlement, Settlement Class members' claims, attorneys' fees and costs incurred by counsel for Plaintiffs and the Settlement Class ("Class Counsel"), a service award for Plaintiff and a charitable contribution solely for uncashed checks, if a second distribution is not feasible. Class Counsel estimate that a Settlement Class member who submits a valid claim form ("Claim Form") may receive a cash award of between \$131 to \$263. This is an estimate only. The final cash payment amount will depend on the total number of valid claims submitted by Settlement Class Members. Plaintiff will petition for service award not to exceed \$10,000 for his work in representing the Class and Class Counsel's fees up to one third of the settlement fund, not to exceed \$2,333,334 plus reasonable expenses.
<b>How can I receive a payment from the Settlement?</b>	To receive payment, you must complete and submit a valid Claim Form by <b>January 30, 2018</b> . You can obtain and submit a Claim Form online at <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> . You can also make a claim by phone or obtain a mail-in Claim Form by calling 844-454-4160. Mail-in Claim Forms must be sent to the Settlement Administrator at P.O. Box 404040, Louisville, KY, 40233-9844.
<b>Do I have to be included in the</b>	If you don't want monetary compensation from this Settlement and you want

<b>Settlement?</b>	to keep the right to sue or continue to sue XPO on your own, then you must exclude yourself from the Settlement by sending a letter requesting exclusion to the Settlement Administrator by <b>January 30, 2018</b> at the address below that contains the specific information set forth in the Settlement Website.
<b>If I don't like something about the Settlement, how do I tell the Court?</b>	If you don't exclude yourself from the Settlement, you can object to any part of the Settlement. You must file your written objection with the Court by <b>January 30, 2018</b> , mailed to both Class Counsel and defense counsel and containing the specific information set forth in the Settlement Website <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> .
<b>What if I do nothing?</b>	If you do nothing, you will not be eligible for a payment. But you will still be a Settlement Class member and bound by the Settlement, and you will release XPO from liability.
<b>How do I get more information about the Settlement?</b>	This notice contains limited information about the Settlement. For more information, to view additional Settlement documents, and to review information regarding your opt-out and objection rights and the final approval hearing, visit <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> . You can also obtain additional information, a long form notice or Claim Form by calling 844-454-4160.

This message was intended for: [andrew.perry@kccllc.com](mailto:andrew.perry@kccllc.com)  
 You were added to the system December 1, 2017.  
 For more information [click here](#) [Update your preferences](#)  
[Unsubscribe](#) | [Unsubscribe via email](#)





# **EXHIBIT F**

## FINAL NOTICE

TO RECEIVE BENEFITS FROM THIS SETTLEMENT, YOU MUST PROVIDE ALL OF THE INFORMATION AND YOU MUST SIGN THIS CLAIM FORM. IF A CLAIM FORM IS SUBMITTED ONLINE, YOU MUST SUBMIT AN ELECTRONIC SIGNATURE.

**QUESTIONS? VISIT  
WWW.XPOTCPASETTLEMENT.COM  
OR CALL 844-454-4160  
OR CLASS COUNSEL AT 866.726.1092.**



Postal Service: Please Do Not Mark Barcode

Claim ID: <<Claim8>>

PIN Code: &lt;&lt;PIN&gt;&gt;

XLE-&lt;&lt;Claim8&gt;&gt;-&lt;&lt;CkDig&gt;&gt;

&lt;&lt;FName&gt;&gt; &lt;&lt;LName&gt;&gt;

&lt;&lt;Addr1&gt;&gt; &lt;&lt;Addr2&gt;&gt;

&lt;&lt;City&gt;&gt;, &lt;&lt;State&gt;&gt; &lt;&lt;Zip&gt;&gt;

# XLE

1. CLAIMANT INFORMATION:

### Primary Address

[illegible]

Primary Address continued

[illegible]

City

[illegible]

State

--	--

Zip Code

--	--	--	--	--

E-Mail Address (if applicable)

[illegible]

Cellular Telephone Number (where you received the call(s))

			-				-			
--	--	--	---	--	--	--	---	--	--	--

&lt;&lt;FName&gt;&gt; &lt;&lt;LName&gt;&gt;

&lt;&lt;Addr1&gt;&gt; &lt;&lt;Addr2&gt;&gt;

&lt;&lt;City&gt;&gt;, &lt;&lt;State&gt;&gt; &lt;&lt;Zip&gt;&gt;

2. AFFIRMATION:

By signing below, I declare, that the information above is true and accurate. This Claim Form may be researched and verified by XPO Logistics, Inc. and the Settlement Administrator.

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Name (please print): \_\_\_\_\_



2D

&lt;&lt;CLAIMID&gt;&gt;

THE COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

***Leung et al v. XPO Logistics, Inc.,***  
**USDC, Northern District of Illinois, Eastern Division Case No. 15-cv-03877**

**YOU MAY BE ENTITLED TO RECEIVE MONETARY COMPENSATION.**

**What is this?** This is the final notice of a Proposed Settlement in a class action lawsuit.

**What is this lawsuit about?** The Settlement would resolve a lawsuit brought on behalf of a putative class of individuals, alleging XPO Logistics, Inc. ("XPO") violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the "TCPA") by making prerecorded survey calls regarding Ikea deliveries to cell phones without the prior express consent of Leung or the putative class members. XPO denies these allegations and any wrongdoing. The Court has not ruled on the merits of Plaintiffs' claims or XPO's defenses.

**Why am I getting this notice?** You were identified as someone who may have received one of these survey calls based on XPO's records.

**What does the Settlement provide?** XPO has agreed to pay a total of \$7,000,000 into a Settlement Fund, which will pay, as approved by the court, for the cost of notice and administration of the settlement, Settlement Class members' claims, attorneys' fees and costs incurred by counsel for Plaintiffs and the Settlement Class ("Class Counsel"), a service award for Plaintiff and a charitable contribution solely for uncashed checks, if a second distribution is not feasible. Class Counsel estimate that a Settlement Class member who submits a valid claim form ("Claim Form") may receive a cash award of between \$131 to \$263. This is an estimate only. The final cash payment amount will depend on the total number of valid claims submitted by Settlement Class Members. Plaintiff will petition for service award not to exceed \$10,000 for his work in representing the Class and Class Counsel's fees up to one third of the settlement fund, not to exceed \$2,333,334 plus reasonable expenses.

**How can I receive a payment from the Settlement?** To receive payment, you must complete and submit a valid Claim Form by **January 30, 2018**. You can obtain and submit a Claim Form online at [www.XPOTCPASettlement.com](http://www.XPOTCPASettlement.com). You can also make a claim by phone or obtain a mail-in Claim Form by calling 844-454-4160. Mail-in Claim Forms must be sent to the Settlement Administrator at the address below.

**Do I have to be included in the Settlement?** If you don't want monetary compensation from this Settlement and you want to keep the right to sue or continue to sue XPO on your own, then you must exclude yourself from the Settlement by sending a letter requesting exclusion to the Settlement Administrator by **January 30, 2018** at the address below that contains the specific information set forth in the Settlement Website.

**If I don't like something about the Settlement, how do I tell the Court?** If you don't exclude yourself from the Settlement, you can object to any part of the Settlement. You must file your written objection with the Court by **January 30, 2018**, mailed to both Class Counsel and defense counsel and containing the specific information set forth in the Settlement Website.

**What if I do nothing?** If you do nothing, you will not be eligible for a payment. But you will still be a Settlement Class member and bound by the Settlement, and you will release XPO from liability.

**How do I get more information about the Settlement?** This notice contains limited information about the Settlement. For more information, to view additional Settlement documents, and to review information regarding your opt-out and objection rights and the final approval hearing, visit [www.XPOTCPASettlement.com](http://www.XPOTCPASettlement.com). You can also obtain additional information, a long form notice or Claim Form by calling 844-454-4160.

Place  
Stamp  
Here

XPO Logistics, Inc. TCPA Settlement  
c/o KCC Settlement Administrator  
P.O. Box 404040  
Louisville, KY 40233-9844

# **EXHIBIT G**

**Andrew Perry**

**From:** Class Action Claims Administrator <donotreply@XPOTCPAsettlement.com>  
**Sent:** Tuesday, January 23, 2018 8:05 PM  
**To:** Andrew Perry  
**Subject:** FINAL REMINDER - Notice of Class Action Settlement - Leung et al. v. XPO Logistics, Inc.

Andrew Perry  
 Claim ID: KCC00004  
 PIN: 654321

**FINAL REMINDER NOTICE OF CLASS ACTION LAWSUIT AND PROPOSED SETTLEMENT**

THE COURT AUTHORIZED THIS NOTICE. THIS IS NOT A SOLICITATION FROM A LAWYER.

*Leung et al. v. XPO Logistics, Inc.,*  
 USDC, Northern District of Illinois, Eastern Division Case No. 15-cv-03877

YOU MAY BE ENTITLED TO RECEIVE MONETARY COMPENSATION.

<b>What is this?</b>	This is notice of a Proposed Settlement in a class action lawsuit.
<b>What is this lawsuit about?</b>	The Settlement would resolve a lawsuit brought on behalf of a putative class of individuals, alleging XPO Logistics, Inc. ("XPO") violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the "TCPA") by making prerecorded survey calls regarding Ikea deliveries to cell phones without the prior express consent of Leung or the putative class members. XPO denies these allegations and any wrongdoing. The Court has not ruled on the merits of Plaintiffs' claims or XPO's defenses.
<b>Why am I getting this notice?</b>	You were identified as someone who may have received one of these survey calls based on XPO's records.
<b>What does the Settlement provide?</b>	XPO has agreed to pay a total of \$7,000,000 into a Settlement Fund, which will pay, as approved by the court, for the cost of notice and administration of the settlement, Settlement Class members' claims, attorneys' fees and costs incurred by counsel for Plaintiffs and the Settlement Class ("Class Counsel"), a service award for Plaintiff and a charitable contribution solely for uncashed checks, if a second distribution is not feasible. Class Counsel estimate that a Settlement Class member who submits a valid claim form ("Claim Form") may receive a cash award of between \$131 to \$263. This is an estimate only. The final cash payment amount will depend on the total number of valid claims submitted by Settlement Class Members. Plaintiff will petition for service award not to exceed \$10,000 for his work in representing the Class and Class Counsel's fees up to one third of the settlement fund, not to exceed \$2,333,334 plus reasonable expenses.
<b>How can I receive a payment from the Settlement?</b>	To receive payment, you must complete and submit a valid Claim Form by <b>January 30, 2018</b> . You can obtain and submit a Claim Form online at <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> . You can also make a claim by phone or obtain a mail-in Claim Form by calling 844-454-4160. Mail-in Claim Forms must be sent to the Settlement Administrator at P.O. Box 404040, Louisville, KY, 40233-9844.
<b>Do I have to be included in the</b>	If you don't want monetary compensation from this Settlement and you want

<b>Settlement?</b>	to keep the right to sue or continue to sue XPO on your own, then you must exclude yourself from the Settlement by sending a letter requesting exclusion to the Settlement Administrator by <b>January 30, 2018</b> at the address below that contains the specific information set forth in the Settlement Website.
<b>If I don't like something about the Settlement, how do I tell the Court?</b>	If you don't exclude yourself from the Settlement, you can object to any part of the Settlement. You must file your written objection with the Court by <b>January 30, 2018</b> , mailed to both Class Counsel and defense counsel and containing the specific information set forth in the Settlement Website <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> .
<b>What if I do nothing?</b>	If you do nothing, you will not be eligible for a payment. But you will still be a Settlement Class member and bound by the Settlement, and you will release XPO from liability.
<b>How do I get more information about the Settlement?</b>	This notice contains limited information about the Settlement. For more information, to view additional Settlement documents, and to review information regarding your opt-out and objection rights and the final approval hearing, visit <a href="http://www.XPOTCPASettlement.com">www.XPOTCPASettlement.com</a> . You can also obtain additional information, a long form notice or Claim Form by calling 844-454-4160.

This message was intended for: [andrew.perry@kccllc.com](mailto:andrew.perry@kccllc.com)  
 You were added to the system December 1, 2017.  
 For more information [click here](#) [Update your preferences](#)  
[Unsubscribe](#) | [Unsubscribe via email](#)



# **EXHIBIT H**

Exclusion Requests as of February 20, 2018

ALIREZA DADVAR  
AMBRA CASONATO  
ANDREW KARASYK  
AROHI SHARMA  
BRANDON BASSO  
CELSO AUGUSTO ALBERTI  
CHRIS ADAMS  
CHUN LIANG  
DAVID GIANNELLI  
ETLEVA HAXHIYMERI  
FLAVIA VIOTTI RIBEIRO  
GUILLAUME PANTHOU  
GWEN DISTEFANO  
JEAMIN KIM  
JÉRÉMY GUIVARCH  
JESSICA SCARLATA  
JUNGHWA KIM  
LARRY YORK  
MUHAMMAD HAQ  
RODRIGO ROJO  
SHIMAN SHAN  
SOKOL BEJTJA  
SVETLANA ZUSINA  
WENDY LOPEZ  
YI QIANG CHEN  
ZILI ZHANG